

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Armed Forces Bank, N.A.,
4 Plaintiff,
5 v.
6 DFA, LLC et al,
7 Defendants
8

Case No.: 2:13-cv-1996-JAD-CWH

**Order Striking Summary Judgment
Filings [31 – 37] and Granting Leave to
Refile Properly Formatted Motion**

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10 On December 16, 2014, plaintiff filed four separate motions for summary judgment
11 [#31, 32, 33, 35] based on a single, separately filed statement of facts [#36]. Collectively,
12 these five submissions total 57 pages. Plaintiff has also separately filed declarations in
13 support of these motions. [#34, 37].

14 Local Rule 7-4 limits summary-judgment motions to 30 pages. And Local Rule 56-1
15 clarifies that the statement of facts supporting the motion must be “include[d]” in the motion
16 itself, not filed separately. Exhibits should not be filed as separate declarations but rather
17 attached to the motion itself in compliance with Local Rule 10-3. By filing with seven
18 separate documents what should have been a single motion for summary judgment with an
19 included statement of facts and attached exhibits, plaintiff has essentially evaded the 30-
20 page-limit rule.

21 Accordingly, with good cause appearing, IT IS HEREBY ORDERED that:

- 22 • The Clerk of Court shall **STRIKE from the record documents 31 through**
23 **37; and**
24 • **Plaintiff has until December 24, 2014, to file a single motion for summary**
25 **judgment that complies with the local rules and includes within its**
26

1 **memorandum of points and authorities a properly supported statement of**
2 **facts and all summary judgment arguments, and which attaches any**
3 **exhibits** (including declarations) to support the motion. Plaintiff is reminded
4 to review *Orr v. Bank of America*, 285 F.3d 764 (9th Cir. 2002), to ensure that
5 all evidentiary submissions are properly authenticated because the court may
6 consider only properly authenticated evidence on summary judgment.

7 DATED: December 17, 2014.

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Jennifer A. Dorsey
United States District Judge